

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
QUASON PARKER,**

Plaintiff,

**1:19-cv-113
(GLS/CFH)**

v.

DAVID SOARES et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

Quason Parker
Pro Se
50 Chestnut Street
Cohoes, NY 12047

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following an Amended Report-Recommendation & Order (R&R) by Magistrate Judge Christian F. Hummel duly filed on May 23, 2019. (Dkt. No. 7.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Amended R&R for clear error, it is hereby

ORDERED that the Amended Report-Recommendation & Order (Dkt. No. 7) is **ADOPTED** in its entirety; and it is further

ORDERED that the following claims are **DISMISSED with prejudice**: (1) all claims against the individual officers in their official capacities; (2) all claims against defendants David Soares and Jennifer E. McCanney; (3) the *Monell* claims against the Cohoes Police Department; and (4) any claims seeking prosecution of defendants for official misconduct or offering a false instrument for filing; and it is further

ORDERED that the following claims are **DISMISSED without prejudice**: (1) First Amendment, Equal Protection, and Due Process claims against the County of Albany; (2) *Monell* claims against the County of Albany; (3) false arrest and false imprisonment claims; and (4) *Monell* claims against the City of Cohoes; and it is further

ORDERED that plaintiff may file an amended complaint within **thirty (30) days** of the date of this Order; and it is further

ORDERED that, if plaintiff files an amended complaint, it shall be referred to Magistrate Judge Christian F. Hummel for review; and it is further

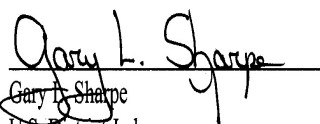
ORDERED that, if plaintiff fails to file an amended complaint, the

complaint will be **DISMISSED** and the case closed without further order of this court; and it is further

ORDERED that the Clerk provide a copy of this Order to plaintiff in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

June 14, 2019
Albany, New York



Gary L. Sharpe
U.S. District Judge